

3721
PATENT
DfwIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dominick L. Mastri et al.

Docket: 1695 CIP CON 3
(203-1544 CIP CON III)

Serial No.: 09/625,886

Examiner: Scott A. Smith

Filed: July 26, 2000

Group Art Unit: 3721

For: **SURGICAL STAPLER**

Dated: August 13, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant's continuing duty of disclosure, it is respectfully requested that the disclosures cited in the annexed Form PTO-1449 be considered by the Examiner and made of record in the above-identified application.

A copy of each of the patents cited in the attached Form PTO-1449 is provided herewith. An abstract in English has been provided for each non-English document except the documents from the U.S.S.R. U.S.S.R. document Nos. 990,220 and 980,703 illustrate instruments having articulating tool assemblies or operating members. U.S.S.R. document No. 728,848 appears to illustrate a linear stapling device and U.S.S.R. document No. 659,146 appears to illustrate a circular stapling device.

The citation of the listed items is not a representation that they constitute a

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 13, 2004.

Dated: August 13, 2004
Christopher G. Trainor

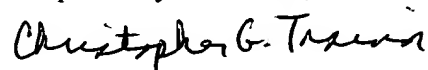
complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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Norwalk, CT 06856
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Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
203-1544CIPCONIII
(1695CIPCON3)SERIAL NO.:
09/625,886INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use several sheets if necessary)APPLICANTS:
Dominick L. Mastri et al.FILING DATE:
July 26, 2000GROUP ART UNIT:
3721

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|------------|----------------------|-------|----------|----------------------------------|
| | 6,264,086 | 7/24/2001 | McGuckin, Jr. | | | |
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| | 6,032,849 | 3/7/2000 | Mastri et al. | | | |
| | 6,004,335 | 12/21/1999 | Vaitekunas et al. | | | |
| | 5,954,259 | 9/21/1999 | Viola et al. | | | |
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|---------------------|-----------------|------------|-------------------|-------|----------|----------------------------------|
| | 5,749,893 | 5/12/1998 | Vidal et al. | | | |
| | 5,743,456 | 4/28/1998 | Jones et al. | | | |
| | 5,735,848 | 4/7/1998 | Yates et al. | | | |
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| | 5,634,584 | 6/3/1997 | Okorochoa et al. | | | |
| | 5,632,432 | 5/27/1997 | Schulze et al. | | | |
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| | 5,577,654 | 11/26/1996 | Bishop | | | |
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| | 5,562,682 | 10/8/1996 | Oberlin et al. | | | |
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| | 5,531,744 | 7/2/1996 | Nardella et al. | | | |

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|---------------------|-----------------|------------|-----------------------|-------|----------|----------------------------------|
| | 5,529,235 | 6/25/1996 | Boiarski et al. | | | |
| | 5,518,164 | 5/21/1996 | Hooven | | | |
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| | 5,487,500 | 1/30/1996 | Knodel et al. | | | |
| | 5,485,947 | 1/23/1996 | Olson et al. | | | |
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| | 5,452,837 | 9/26/1995 | Williamson, IV et al. | | | |
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| | 5,407,293 | 4/18/1995 | Crainich | | | |
| | 5,397,324 | 3/14/1995 | Carroll et al. | | | |
| | 5,395,034 | 3/7/1995 | Allen et al. | | | |
| | 5,395,033 | 3/7/1995 | Byrne et al. | | | |

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|---------------------|--|--------------------|------------|----------------|-------|----------|----------------------------------|
| | | 5,383,880 | 1/24/1995 | Hooven | | | |
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| | | 4,505,414 | 3/19/1995 | Filipi | | | |
| | | 4,086,926 | 5/2/1978 | Green et al. | | | |

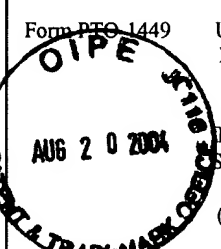
FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--|--------------------|---------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | | 0666057 | 8/1995 | EPO | | | | |
| | | 0593920 | 4/1994 | EPO | | | | |
| | | 0140552 | 5/1985 | EPO | | | | |
| | | 0324635 | 7/1989 | EPO | | | | |
| | | 89/10094 | 11/1989 | WO | | | | |
| | | 0156774 | 10/1985 | EPO | | | | |
| | | 0216532 | 4/1987 | EPO | | | | |
| | | 0536903 | 4/1993 | EPO | | | | |
| | | 0552050 | 7/1993 | EPO | | | | |
| | | 0598579 | 5/1994 | EPO | | | | |
| | | 0621006 | 10/1994 | EPO | | | | |

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| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--|--------------------|---------|--------------------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | | 2660851 | 10/1991 | France | | | | |
| | | 3114135 | 10/1982 | Germany | | | | |
| | | 4213426 | 10/1992 | Germany | | | | |
| | | 51-149985 | 5/1975 | Japan | | | | |
| | | 659146 | 4/1979 | U.S.S.R. | | | | |
| | | 9308754 | 5/1993 | WIPO | | | | |
| | | 9314706 | 8/1993 | WIPO | | | | |
| | | 0592243 | 4/1994 | EPO | | | | |
| | | 0621009 | 10/1994 | EPO | | | | |
| | | 2681775 | 10/1991 | France | | | | |
| | | 4300307 | 7/1994 | Germany | | | | |
| | | 980703 | 12/1982 | Russian Federation | | | | |
| | | 990220 | 1/1983 | Russian Federation | | | | |
| | | 5476586 | 9/1986 | Australia | | | | |
| | | 0136950 | 4/1985 | EPO | | | | |
| | | 0220029 | 4/1987 | EPO | | | | |
| | | 0213817 | 11/1987 | EPO | | | | |
| | | 0273468 | 7/1988 | EPO | | | | |
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| | | 0373762 | 6/1990 | EPO | | | | |
| | | 0380025 | 8/1990 | EPO | | | | |
| | | 0449394 | 10/1991 | EPO | | | | |
| | | 0489436 | 6/1992 | EPO | | | | |

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| | | | | | | | YES | NO |
| | | 2660851 | 10/1991 | France | | | | |
| | | 3114135 | 10/1982 | Germany | | | | |
| | | 4213426 | 10/1992 | Germany | | | | |
| | | 659146 | 4/1979 | U.S.S.R. | | | | |
| | | 9308754 | 5/1993 | WIPO | | | | |
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| | | 2681775 | 10/1991 | France | | | | |
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| | | 980703 | 12/1982 | Russian Federation | | | | |
| | | 990220 | 1/1983 | Russian Federation | | | | |
| | | 5476586 | 9/1986 | Australia | | | | |
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| | | 0324638 | 7/1989 | EPO | | | | |
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| | | | | | | | YES | NO |
| | | 0503662 | 9/1992 | EPO | | | | |
| | | 0514139 | 11/1992 | EPO | | | | |
| | | 0537572 | 4/1993 | EPO | | | | |
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| | | 2542188 | 9/1984 | France | | | | |
| | | 0119846 | 1/1959 | U.S.S.R. | | | | |
| | | 1555455 | 11/1979 | United Kingdom | | | | |
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| | | 2141066 | 12/1984 | United Kingdom | | | | |
| | | WO9210976 | 7/1992 | WIPO | | | | |
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| | | 0324637 | 7/1989 | EPO | | | | |
| | | 0041022 | 12/1981 | EPO | | | | |
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| | | 0369324 | 5/1990 | EPO | | | | |

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